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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/765,714	01/27/2004	Benjamin A. Street	26.2.C99/USA	2571
7590	04/27/2005		EXAMINER	
James W. Miller Suite 1005 Foshay Tower 821 Marquette Avenue Minneapolis, MN 55402			KOVACS, ARPAD F	
			ART UNIT	PAPER NUMBER
			3671	

DATE MAILED: 04/27/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Interview Summary</b>	Application No. 10/765,714	Applicant(s) STREET ET AL.
	Examiner Árpád Fábián Kovács	Art Unit 3671

All participants (applicant, applicant's representative, PTO personnel):

(1) Árpád Fábián Kovács.

(3) \_\_\_\_\_.

(2) James W Miller.

(4) \_\_\_\_\_.

Date of Interview: 4/25/2005.

Type: a) Telephonic b) Video Conference  
c) Personal [copy given to: 1) applicant 2) applicant's representative]

Exhibit shown or demonstration conducted: d) Yes e) No.  
If Yes, brief description: \_\_\_\_\_.

Claim(s) discussed: 1.9 and 25.

Identification of prior art discussed: Engler (3115738), Shields, II (6439444).

Agreement with respect to the claims f) was reached. g) was not reached. h) N/A.

Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments: See Continuation Sheet.

(A fuller description, if necessary, and a copy of the amendments which the examiner agreed would render the claims allowable, if available, must be attached. Also, where no copy of the amendments that would render the claims allowable is available, a summary thereof must be attached.)

THE FORMAL WRITTEN REPLY TO THE LAST OFFICE ACTION MUST INCLUDE THE SUBSTANCE OF THE INTERVIEW. (See MPEP Section 713.04). If a reply to the last Office action has already been filed, APPLICANT IS GIVEN ONE MONTH FROM THIS INTERVIEW DATE, OR THE MAILING DATE OF THIS INTERVIEW SUMMARY FORM, WHICHEVER IS LATER, TO FILE A STATEMENT OF THE SUBSTANCE OF THE INTERVIEW. See Summary of Record of Interview requirements on reverse side or on attached sheet.

Examiner Note: You must sign this form unless it is an Attachment to a signed Office action.



Examiner's signature, if required

## Summary of Record of Interview Requirements

### **Manual of Patent Examining Procedure (MPEP), Section 713.04, Substance of Interview Must be Made of Record**

A complete written statement as to the substance of any face-to-face, video conference, or telephone interview with regard to an application must be made of record in the application whether or not an agreement with the examiner was reached at the interview.

### **Title 37 Code of Federal Regulations (CFR) § 1.133 Interviews**

#### Paragraph (b)

In every instance where reconsideration is requested in view of an interview with an examiner, a complete written statement of the reasons presented at the interview as warranting favorable action must be filed by the applicant. An interview does not remove the necessity for reply to Office action as specified in §§ 1.111, 1.135. (35 U.S.C. 132)

#### 37 CFR §1.2 Business to be transacted in writing.

All business with the Patent or Trademark Office should be transacted in writing. The personal attendance of applicants or their attorneys or agents at the Patent and Trademark Office is unnecessary. The action of the Patent and Trademark Office will be based exclusively on the written record in the Office. No attention will be paid to any alleged oral promise, stipulation, or understanding in relation to which there is disagreement or doubt.

The action of the Patent and Trademark Office cannot be based exclusively on the written record in the Office if that record is itself incomplete through the failure to record the substance of interviews.

It is the responsibility of the applicant or the attorney or agent to make the substance of an interview of record in the application file, unless the examiner indicates he or she will do so. It is the examiner's responsibility to see that such a record is made and to correct material inaccuracies which bear directly on the question of patentability.

Examiners must complete an Interview Summary Form for each interview held where a matter of substance has been discussed during the interview by checking the appropriate boxes and filling in the blanks. Discussions regarding only procedural matters, directed solely to restriction requirements for which interview recordation is otherwise provided for in Section 812.01 of the Manual of Patent Examining Procedure, or pointing out typographical errors or unreadable script in Office actions or the like, are excluded from the interview recordation procedures below. Where the substance of an interview is completely recorded in an Examiners Amendment, no separate Interview Summary Record is required.

The Interview Summary Form shall be given an appropriate Paper No., placed in the right hand portion of the file, and listed on the "Contents" section of the file wrapper. In a personal interview, a duplicate of the Form is given to the applicant (or attorney or agent) at the conclusion of the interview. In the case of a telephone or video-conference interview, the copy is mailed to the applicant's correspondence address either with or prior to the next official communication. If additional correspondence from the examiner is not likely before an allowance or if other circumstances dictate, the Form should be mailed promptly after the interview rather than with the next official communication.

The Form provides for recordation of the following information:

- Application Number (Series Code and Serial Number)
- Name of applicant
- Name of examiner
- Date of interview
- Type of interview (telephonic, video-conference, or personal)
- Name of participant(s) (applicant, attorney or agent, examiner, other PTO personnel, etc.)
- An indication whether or not an exhibit was shown or a demonstration conducted
- An identification of the specific prior art discussed
- An indication whether an agreement was reached and if so, a description of the general nature of the agreement (may be by attachment of a copy of amendments or claims agreed as being allowable). Note: Agreement as to allowability is tentative and does not restrict further action by the examiner to the contrary.
- The signature of the examiner who conducted the interview (if Form is not an attachment to a signed Office action)

It is desirable that the examiner orally remind the applicant of his or her obligation to record the substance of the interview of each case. It should be noted, however, that the Interview Summary Form will not normally be considered a complete and proper recordation of the interview unless it includes, or is supplemented by the applicant or the examiner to include, all of the applicable items required below concerning the substance of the interview.

A complete and proper recordation of the substance of any interview should include at least the following applicable items:

- 1) A brief description of the nature of any exhibit shown or any demonstration conducted,
- 2) an identification of the claims discussed,
- 3) an identification of the specific prior art discussed,
- 4) an identification of the principal proposed amendments of a substantive nature discussed, unless these are already described on the Interview Summary Form completed by the Examiner,
- 5) a brief identification of the general thrust of the principal arguments presented to the examiner.  
(The identification of arguments need not be lengthy or elaborate. A verbatim or highly detailed description of the arguments is not required. The identification of the arguments is sufficient if the general nature or thrust of the principal arguments made to the examiner can be understood in the context of the application file. Of course, the applicant may desire to emphasize and fully describe those arguments which he or she feels were or might be persuasive to the examiner.)
- 6) a general indication of any other pertinent matters discussed, and
- 7) if appropriate, the general results or outcome of the interview unless already described in the Interview Summary Form completed by the examiner.

Examiners are expected to carefully review the applicant's record of the substance of an interview. If the record is not complete and accurate, the examiner will give the applicant an extendable one month time period to correct the record.

#### Examiner to Check for Accuracy

If the claims are allowable for other reasons of record, the examiner should send a letter setting forth the examiner's version of the statement attributed to him or her. If the record is complete and accurate, the examiner should place the indication, "Interview Record OK" on the paper recording the substance of the interview along with the date and the examiner's initials.

Continuation of Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments: Applicant submitted a proposal to amend independent claims 1 & 9 and add new independent claim 25, Applicant agreed that pivoting ZRT mowers such as shown by Engler are known in the art, however Applicant did not think that there is teaching to replace mowers with brushes and without wheels. The Examiner thought that Shields teaches a support frame to be applicable supporting any number of appliances (mowers, plows). In view of the amendments proposed and new claim 25 citing a heavier weight for the center brush than for the side brushes the combination rejection would be overcome.

NOT AN AMENDMENT!  
PROPOSAL FOR INTERVIEW

NOT TO BE ENTERED IN THE FILE

MATERIAL TO BE DISCUSSED WITH THE EXAMINER RE 10/765,714  
ON APRIL 25, 2005

1. (proposed amendment) A brush rake for a grooming vehicle for smoothing loose, granular material, which comprises:

(a) a center brush having a hitch for connecting to the vehicle such that the center brush can be towed behind the vehicle; [and]

(b) a pair of side brushes pivotally connected to the center brush with a first side brush being pivotally connected to one lateral outer end of the center brush and a second side brush being pivotally connected to an opposite lateral outer end of the center brush; and

(c) wherein the center and side brushes have flexible brush bristles that are the only portion of the brush rake that engages the loose granular material.

All cutter decks with pivotal side wings, such as Engler, inherently have some type of ground engaging means, such as skids, wheels, etc., to prevent the blades from engaging the ground. Even if it were obvious to replace the blades in Engler with brushes, it would not have been obvious to get rid of the ground engaging wheels. There is no brush rake of the claimed type, i.e. with the claimed center and pivotal side brushes, in which the brush bristles are the only thing that engage the granular material.

Claim 3 - remove bristle language.

9. (proposed amendment) A vehicle for grooming a loose granular material surface, which comprises:

(a) a vehicle having substantially zero radius turn capability; [and]

(b) a trailing rake towed behind the vehicle for grooming the loose granular material surface in a grooming swath;

(c) wherein the vehicle is able to sufficiently tightly turn around on the loose granular material surface while the trailing rake engages the loose granular material surface to groom the loose granular material surface in adjacent side-by-side grooming swaths that overlap one another without leaving an ungroomed teardrop between the adjacent swaths at an inside corner of the turn; and

(d) wherein the trailing rake is configured to lift an end of the trailing rake on the inside corner of the turn up out of engagement with the loose granular material surface to avoid pushing and leaving a ridge of loose granular material behind the trailing rake on the inside corner of the turn during the sufficiently tight turn of the vehicle, whereby ungroomed teardrops are eliminated from the loose granular material surface by executing the sufficiently tight turn of the vehicle but without depositing ridges of loose granular material on the loose granular material surface.

While ZTR's are known, they have never been used in sand traps or the like. Applicant discovered that a ZTR is needed to eliminate the teardrops but also discovered that using a ZTR creates ridges. This invention eliminates both teardrops and ridges. This is not taught in any of the prior art.

Cancel claim 10.

Claim 12 should depend from claim 11.

Cancel claims 21-24.

25. (proposed new claim) A brush rake for a grooming vehicle for smoothing loose, granular material, which comprises:

(a) a center brush and a pair of pivotal side brushes, wherein the center and side brushes have flexible brush bristles in engagement with the loose granular material;

(b) a hitch for connecting the brush rake to the vehicle such that the center and side brushes are towed behind the vehicle; and

(c) wherein the brush bristles of the center brush engage the loose, granular material with more down force than the brush bristles of the side brushes.

26. The brush rake of claim 25, wherein the center brush provides more down force than the side brushes by being heavier than either of the side brushes.

It is important that the center brush be heavier acting on the loose, granular material than the side brushes. This is clearly not taught in Engler. New claims 25 and 26 should be allowed.